

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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| _____ |) | |
| RAOUL MARRADI, |) | |
| Plaintiff, |) | |
| v. |) | |
| |) | Civil Action No. 13-10813-RGS |
| JOAN CANZANO, GALWAY HOUSE, |) | |
| INC., and 702 REALTY TRUST, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

MOTION FOR SUMMARY JUDGMENT BY DEFENDANTS
GALWAY HOUSE AND 702 REALTY TRUST

Pursuant to Fed. R. Civ. P. 56, defendants, Galway House, Inc. (“Galway House”) and the 702 Realty Trust (the “Trust”) (collectively the “Defendants”) hereby move this Honorable Court to enter judgment as a matter of law in its favor.¹

In support of this motion, Defendants submit the accompanying memorandum of law and statement of material facts and aver, *inter alia*, that Summary Judgment is mandated against the Plaintiff, Raoul Marradi (“Plaintiff” or “Marradi”) because: (1) Plaintiff lacks standing as to all claims asserted because he does not possess an intent to return to the property; (2) even if Plaintiff possessed an intent to return, Plaintiff lacks standing as to the majority of his claims because he did not suffer an injury in fact from such alleged barriers, and; (3) even if Plaintiff possessed an intent to return **and** suffered an injury in fact as to some alleged barrier, Plaintiff completely fails in his burden to establish that removal of any barrier encountered is readily achievable.

Fact discovery is set to close on January 31, 2014. Docket No. 13, 14.

¹ Notice of dismissal entered as to the third defendant, Joan Canzano (“Canzano”), individually, on January 14, 2014. Docket No. 31. Unless otherwise specified, any remaining references to Canzano are in her capacity as Trustee of the 702 Realty Trust, which remains a defendant.

WHEREFORE, Defendants move this Honorable Court to allow this motion and enter summary judgment in their favor.

Respectfully submitted,
Defendants,
By their attorneys,

/s/Michael K. Lane
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Dated: January 22, 2014

CERTIFICATE OF SERVICE

I hereby certify that true and accurate copies of the above pleading were served by CM/ECF upon individuals who filed notices of appearance in the Court's CM/ECF database in the above-captioned proceeding this 22nd day of January, 2014, including the individual(s) listed below.

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